

FILED
OCT 12 2007

CLERK OF SUPREME COURT
STATE OF WASHINGTON
ap

NO. 79917-2

WASHINGTON STATE

SUPREME COURT

STATE OF WASHINGTON,

Plaintiff,
Respondent,

vs.

BRENT RICHARD SMITH,

Defendant,
Appellant.

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SUPREME COURT
STATE OF WASHINGTON
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THIRD ADDITIONAL STATEMENT OF AUTHORITIES

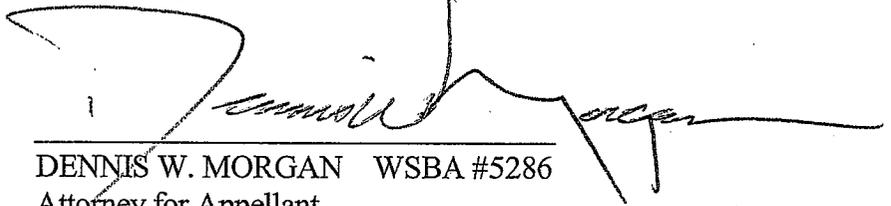
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COMES NOW, BRENT RICHARD SMITH, by and through the undersigned attorney, and requests the Court to consider the following additional authorities in connection with his appeal:

State v. White, slip opinion 23502-5-III (10/04/07) (the community caretaking function exception to the search warrant requirement is strictly limited and the involvement of law enforcement under the exception must be “totally divorced from the detection, investigation, or acquisition of evidence relating to the violation of a criminal statute.”
State v. Houser, 95 Wn.2d 143, 151, 622 P.2d 1218 (1980) (quoting *Cady v. Dombrowski*, 413 U.S. 433, 441, 93 S. Ct. 2523, 37 L. Ed.2d 706 (1973))).

DATED this 10TH day of October, 2007.

Respectfully submitted,



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